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THIS TIMES FOUNDED 1893.

WHOLE NUMBER 16,743.

RICHMOND, VA., WEDNESDAY, JANUARY 18, 1905.

PRICE TWO CENTS.

SMOOT TO RETAIN SEAT IN SENATE

Republican Members of
Investigating Commit-
tee Reach Decision.

NO ACTION AT THIS SESSION

Probable That Further Investi-
gation Will be Made—Consti-
tutional Amendment Prohi-
biting Polygamy—More
Smoother Witnesses Ex-
amined Yesterday.

(From Our Regular Correspondent.)
WASHINGTON, D. C., Jan. 17.—Sen-
ator Smoot will not be unseated. This
has been decided. It is understood by
the Republican members of the committee
on Privileges and Elections, which has
been investigating his case for many
months.

Although the senator from Utah will
not be disturbed in the possession of his
seat, it is not certain that the report of
the committee will be adopted at this
session. It is thought likely that a sub-
committee will be sent to Utah to make
further investigation, and thus further
delay a decision.

Prohibit Polygamy

It is said that the report of the com-
mittee recommending that Senator Smoot
be allowed to retain his seat will be ac-
companied by a recommendation that a
constitutional amendment be adopted pro-
hibiting polygamy. It is also probable
that the committee will recommend a fur-
ther investigation for the purpose of
learning more of the state of affairs in cer-
tain portions of the Mormon Church, and
the general influence exerted by the church
in political affairs.

In this correspondence last July, there
was printed the story of an agreement
between Senator Smoot and the Republi-
can national leaders, by which Smoot
was to retain his seat in return for de-
livering the electoral vote of Utah to the
Republicans. He has fulfilled his part
of the contract, and it is now understood
that the Republicans have satisfied him,
that they will perform theirs.

SAYS MORMONS ARE OPPOSED TO POLYGAMY

(By Associated Press.)
WASHINGTON, Jan. 17.—Attorneys for
Senator Smoot today put out the word
intended to discredit the testimony of
the three witnesses for the Protestant
who gave what they alleged to be the
oaths taken by Mormons who go through
the temples and take the endowment cer-
emony of the Mormon Church.

Richard W. Young, of Salt Lake, said
the sentiment of Mormons is decidedly
hostile to polygamy. He said there is
no teaching of polygamy, and has been
none since the manifesto was issued.

On cross-examination, Mr. Young said
he believed that the manifesto was in-
spired, and that while there are people
in the church who believe in the over-
whelming majority believed that revelation in relation
to celestial marriage was inspired.

Abhor Traitors

Mr. Taylor called attention to a dis-
patch from Eureka, Utah, to the effect
that at a meeting Sunday night, Bishop
Daniel Connolly denounced those who
had betrayed endowment oaths at Wash-
ington as traitors, and said he had
known traitors to be shot.

Mr. Young did not approve the refer-
ence to the shooting of traitors, but
said he thought that otherwise the bishop
had expressed the sentiment of Mormon
people toward those who had testified
in the Smoot investigation concerning
endowment house ceremonies. He said
Mormons abhorred traitors, and said
a man who would violate his oath before
justice of the peace would violate his
oath of the church. He could make
no distinction, Mr. Young declined to
answer any questions regarding the endow-
ment house oath.

Other witnesses testified that August
Lundstrom, who described the endow-
ment house ceremony, had not been be-
lieved under oath. Testimony was given
tending to discredit other witnesses for
the Protestants. The hearing will be
continued to-morrow.

VISITING BRITISHER PRAISES PRESIDENT

(By Associated Press.)
INDIANAPOLIS, IND., Jan. 17.—Presi-
dent Mitchell, of the United Mine
Workers of America, to-day announced
committees for the national convention
now in session.

Following the announcement of com-
mittees, President Mitchell introduced
William Abraham, treasurer of the Mine
Workers' organization of Great Britain,
and a member of Parliament. Mr. Ab-
raham complimented President Roosevelt
on the stand he had taken in behalf of
labor, and praised his own laws in
force in England, which should, he
thought, be on the statute books of the
United States. He instanced the liability
law of Great Britain.

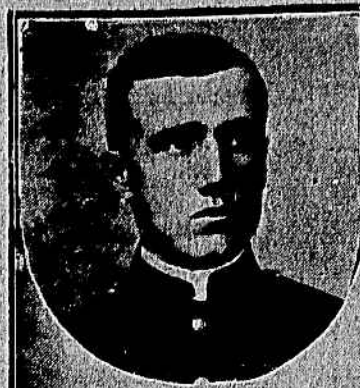
CRUMP TO GIVE VIEWS ON RATE LEGISLATION

(From Our Regular Correspondent.)
WASHINGTON, D. C., Jan. 17.—Hon.
Beverly T. Crump, member of the Vir-
ginia Corporation Commission, will ap-
pear before the House Committee on In-
terstate Commerce to-morrow for the
purpose of giving his views on rate leg-
islation. Mr. Crump is one of several
members of State Corporation Commis-
sions who will be heard on this subject
by the committee.

LOW PRICE OF COTTON CAUSES ANOTHER FAILURE

(By Associated Press.)
FAYETTE, MISS., Jan. 17.—S. H.
Fayette, cotton merchant and cotton
buyer, filed a voluntary petition in bank-
ruptcy. The assets are approximately
\$2,000. The liabilities are the low price
of cotton, poor business and bad col-
lections.

R. BARTON THOMPSON.



THE ICY WATERS OF RESERVOIR LAKE GIVE UP THEIR THIRD VICTIM OF MONDAY'S TRAGEDY



SCENES AT RESERVOIR LAKE YESTERDAY WHERE HUNDREDS THROGGED THROUGHOUT THE DAY.
In the section to the left men in a boat are towing in the body of Young Weber; the crowd shown in the right hand picture is watching the incoming boat with the ghastly find.

EDWARD P. WEBER.



A GREAT COLLEGE FOR YOUNG WOMEN

That Is What the Baptists Pro-
pose to Establish in
Virginia.

IT MAY COME TO RICHMOND

Plans of the Baptist Education
Commission Laid Before
Baptist Council.

The Baptist Council of Richmond and
Manchester held an interesting meeting
in the parlors of the First Baptist
Church last night. The object of the
meeting was to consider a report of pro-
gress from the representative of the Vir-
ginia Baptist Education Commission, Rev.
Dr. B. C. Henning, agent of the com-
mission, who introduced and fully ex-
plained the plans, the aims and hopes of
the commission which has been created
by and acting under the instructions of
the Baptist General Association of Vir-
ginia. Work that the commission has
undertaken is the establishment in Vir-
ginia of a system of schools and colleges
for the education of girls. The plan con-
templates the establishment of a large
central institution to be an up-to-date,
thoroughly equipped women's college.
This college is to be located at some el-
ebrate point, hereafter to be decided upon,
and already Lynchburg and Charlottesville
are bidding for it. The building
alone, to say nothing of the equipment,
is to cost not less than \$100,000, and it is
believed that the college will attract at
the very beginning no less than 400 or
500 students.

Consider Inducements.

As to the location, the commission, of
course, will consider the inducements the
various places in the State will offer.
Dr. Henning thinks the Baptists of Vir-
ginia could well afford to give as much
as \$100,000 to have the central woman's
college.

(Continued on Third Page.)

GOVERNMENT TO BEAR CAMPAIGN EXPENSES

Mr. Cockran Says Political
Parties Could be Given
Great Relief.

(By Associated Press.)

WASHINGTON, D. C., Jan. 17.—The
House Committee on Election of Presi-
dent, Vice-President and Representatives
denied a hearing to-day on bills intro-
duced by Representative W. Bourke Cockran (New York).

One provides for publicity of contribu-
tions to campaign funds, the other
elections and the other for the appoint-
ment of a special commission to inquire
into and ascertain the amounts of money
expended by both political parties at all
presidential elections from 1892 to 1904.

Mr. Cockran advanced the argument that
a great share of the expense of campaign-
ing is borne by the government. He said
public buildings could be assigned as head-
quarters for the two leading parties, and
that government clerks might be assign-
ed to them. He said he could see no reason
why the government printing office should
not be made available to the parties, un-
der reasonable restrictions, for the print-
ing of documents, and said that by ex-
tending the franking privilege, the cost
of circulating documents would be large-
ly met. He thought the railroad might
carry the speakers. By this plan a great
burden of expense would be lifted from
the political parties, as these were the big
items.

SAYS HIS APPEAL WAS UNANSWERED

Stoessel Declares Untrue Report
He Dissented From Decision
of Final Council of War.

OFFICERS DENOUNCE ALEXIEFF

Viceroy Failed to Fortify Port
Arthur and Took Refuge in
"Cowardly Flight."

(By Associated Press.)

LONDON, Jan. 18.—The correspondent
at Nagasaki of the Express, has had an
interesting interview with General Stoessel
in the course of which the general said:

"The capitulation occurring on new
year's day was merely a coincidence. The
loss of Port Arthur and the subsequent
capture of forts, combined with the terri-
ble 11-inch shells, the depressing effect of
the death of General Kondratenko and
the fearful increase of scurvy really fixed
the time of capitulation. It is quite un-
true that I dissented from the unanimous
decision of the final council of war. Our
final urgent requests for relief were never
answered."

The correspondent adds that conver-
sation with other Russian officers reveals
great bitterness against and denunciation
of Admiral Alexieff for his failure to
properly fortify Port Arthur "and his
cowardly flight" by the last train from
the fortress.

NOW ON WAY HOME.

Russian Officers Had Plenty of
Money, But Soldiers Had
Long Gone Unpaid.

(By Associated Press.)

NAGASAKI, Jan. 17.—The French
steamer Astrillon sailed shortly before
8 o'clock this evening for Marseilles,
having on board General Stoessel, his
wife and six Russians, including Admirals
Gorbatovskiy and Lockinsky. General
Gorbatovskiy and Reiss and 245 other
officers and their wives. The Astrillon
was not allowed to leave the harbor be-
fore dark, as a precaution against the
Russians or others obtaining knowledge
of the defenses. The steamer was piloted
by Nagasaki by Japanese naval officers.

During their stay here the Russian
officers bought curios valued at over
\$12,000, having ample supplies of money,
but the soldiers had not received their
pay for many months. General Cock
remains a prisoner in Japan.

HAD SHARP FIGHT.

Japanese Detachment Makes At-
tempt to Cut Off Mis-
tanaka's Column.

(By Associated Press.)

ST. PETERSBURG, Jan. 17.—General
Kuropatkin, telegraphing yesterday to
Emperor Nicholas, reported an attempt
of a strong Japanese detachment of in-
fantry, cavalry and artillery to cut off
the column of General Mistanaka's cav-
alry January 14th, as the latter was about
to retire northward. The Japanese, un-
der cover of a mist, outflanked the Rus-
sians. A battle ensued, the Russian ar-
tillery inflicting heavy losses on the Ja-
panese at short range and then retiring.
The Russian losses were five officers and
forty men killed or wounded.

General Kuropatkin also reported the
return of a Russian patrol after blowing
up the railroad and destroying a mile
of the line.

Edward P. Weber's Body is Given Up by the Reservoir Lake.

MOTHER SEES SON DEAD AT HER FEET

Heroic Work Done by Pettus,
Rainey, Calder and Hicks in
Going to the Rescue of
the Drowning—Moore
and Callinan Help
Also.

The body of E. P. Weber was dragged
from the cold waters of Reservoir Lake
about 9 o'clock on yesterday morning.

It is thought that there are other bodies
still resting under the ice, but despite
the patient work of three boatloads of
workers, who labored unceasingly, none
except young Weber's body was dis-
covered.

Monday night was long and anxious for
many families. To mothers whose sons
had not come home, whose whereabouts
were unknown, the weary wait for mor-
ning was dreary and cruel. Rumors were
so wild regarding the tragedy that it was
spread abroad that a great number of
bodies were still in the water of the lake.
Shortly after daybreak preparations
were begun by Mr. Humphrey Calder,
keeper of the park, to recover the bodies.
A large force of men was employed
with sledge hammers to break the ice
around the murderous hole that had so
mercilessly snatched its victims.

Boats were launched and after three-
quarters of an hour's work Mr. William
Perkins, dragging the bottom with a
boat hook, brought another victim's
body to the surface of the water. On the
bank stood Weber's mother, sobbing as
though her heart would break, hoping
against hope. Officer Pilloy, seeing that
a body had been found, persuaded the
sobbing woman to leave the scene and
accompany him to the nearby bath-
skeller.

Crowd Spell-Bound.

Slowly and fearfully the boat came
alongside the wharf, towing the ghastly
find. Five hundred persons, with heads
uncovered, gazed southward at the
king's victim, while perfect silence reigned
in the awful presence of death.
Kind hands lifted the body from the
water and carried it slowly to the Grotto
in the bathskeller. Into the very room
where the grief-stricken mother the
bears came and laid the dead son at
her very feet.

Young Weber bore a fine character.
Honest, sober and industrious, a host of
friends bear testimony to his upright
and unselfish life, and a mother's cry:
"He was the joy of my whole life," stands
out as an epitaph fit only for those who
have been weighed and have not been
found wanting.

The young man, who lived at No. 145
West Main Street, was the manager of
a basket concern.

His body was taken to the undertaking
establishment of C. J. Billups, where it
was prepared for burial, and later taken
to the cemetery.

(Continued on Second Page.)

DEMOCRATS WILL OFFER RATE BILL

Minority Now Preparing Mea-
sure Which Will Differ Rad-
ically From Others.

SMALL HOPE OF PASSAGE

Railroad Men Gathering in Wash-
ington to Oppose Leg-
islation.

(From Our Regular Correspondent.)

WASHINGTON, D. C., Jan. 17.—The
Democrats are going to have a rate regu-
lation measure in Congress, and the out-
lines of the bill which the minority will
support have been agreed on. It will
differ materially from the Hepburn bill,
which will be offered in a few days and
which will take the place of the Cooper-
Quarles bill.

Provisions of Bill.

The bill of the minority, as outlined to-
day by a Democratic member of the
House Committee on Interstate and
Foreign Commerce, is designed to pre-
serve the integrity of the separate func-
tions of the executive and legislative
arms of the government. The bill will
provide that the Interstate Commerce
Commission shall remain as at present
constituted, and that it shall have power
to make a new rate only in cases where
there is complaint of the old rate, that
it shall have power to declare what is
a reasonable rate, and that the rate shall
go into effect at once, pending an ap-
peal, and shall continue in effect until
declared unreasonable by the Appellate
Court.

The bill will forbid the commission's
raising any rate fixed by a railroad, un-
less after investigation, it shall be found
that the rate is discriminatory. What
is known as the initiative rate is left
to the railroad, and the commission is
not to be allowed to change any rate
except upon petition.

It is the latter feature that Democrats
rely upon to give the bill the constitu-
tionality which might be questioned
if the measure did not possess it.

It is contended that while the Inter-
state Commerce Commission can fix a
rate upon petition, it cannot proceed
without petition and make a rate which
is deemed just. It is also contended
that the bill will not be introduced by
the Democrats, but will be introduced by
Judge Richardson, of Alabama, probably.

No Hope for It.

The Democrats will vote for the Republi-
can bill if the majority of the House
shall reject the minority measure. The
Democrats do not expect the House to
enact the measure to be introduced by
the minority, but it was thought best to
have such a measure, which should re-
flect the views of Democrats on this
question, so that, in future time when
the constitutionality of the measure which
will be enacted into law shall be ques-
tioned, the Democratic party cannot be
blamed. It is not claimed that the Re-
publican bill will not be entirely accept-
able to all Democrats. Democrats do not
hope to pass their bill, as stated above,
but they are hopeful of getting one or

SLENDER CHARGE AGAINST BISHOP

Deposed Rector Files Suit,
Charges Prelate With
Libel.

AFRAID TO BE AIRED IN COURT

Bishop Eludes Deputy Sheriff,
Who Was Armed With
Summons.

(Special to The Times-Dispatch.)

PHILADELPHIA, PA., January 17.—
Bishop Ethelbert Talbot, who was at-
tending a meeting of Sunday school
workers to-day at the residence of
George C. Thomas, succeeded in eluding
a deputy sheriff, who went to the house
with a summons in a suit charging him
with libel, issued by Dr. Irvine, and left
the city. It is presumed that he has gone
to South Bethlehem, where he resides.
The summons was given to a deputy
sheriff this morning immediately after
it had been filed by Dr. Irvine with the
appearance clerk. To-night Dr. Irvine
declared that he was merely following
the advice which Dr. Fulton gave him
after Odell, namely that in order for Dr.
Irvine to establish his innocence he must
bring a libel suit against Bishop Talbot.

Wants Trial in Open Court.

Last Saturday afternoon a delegation
of Episcopal communicants, reading in
this city, called on Dr. Irvine and asked
whether or not he had decided to drop
his suits against Bishop Talbot, saying
that they were ready to help him in any-
thing which he might undertake to do.
It has been at their instigation that Dr.
Irvine has filed the present suit.

Although this suit is for civil libel, and
must name certain damages in money,
Dr. Irvine's idea seems only to be to
show to the church that he has been
wronged, and have the matter taken
up and properly disposed. It is his idea
to have the case heard in open court.
This is one point which he decided on
some time ago.

CARNEGIE TO PROTECT OBERLIN DEPOSITORS

Millionaire to Prevent Students
From Losing Through Alleged
Chadwick Forgeries.

(By Associated Press.)

OBERLIN, O., Jan. 17.—Gratifying
news was received by the students of
Oberlin College to-day when President
King announced at Chapel that all
moneys which had been lost by students
through the failure of the Citizens' Na-
tional Bank which closed its doors at
the time of the alleged Chadwick for-
geries, would be paid on presentation of
their pass books. President King an-
nounced further that Andrew Carnegie
was the man who was doing this.

GOVERNOR GIVES M'CUE A RESPITE

He Allows Charlottesville
Prisoner to Live Three
Weeks Longer.

AMENDED PETITION FILED WITH COURT

Attorneys Spend Some Time
With His Excellency, and
Judge Keith Also Calls.
Many Letters Received
in Interest of the
Prisoner.

"The guilt or innocence of those charged
with crime is to be determined by the ju-
diciary tribunals. The Executive should
aid and not arrest the judgments of courts
or the executions of law, save for su-
preme reasons. For the Executive to re-
view the opinions of courts or the ver-
dicts of juries, no matter how he dis-
agrees with them, would be plain usurpation
of authority. But the Supreme Court of Ap-
peals has this day been petitioned for a
rehearing of the application for a writ
of error, and the Executive has since been
requested by this court, and the trial
court, to grant a respite of the death sen-
tence that sufficient time may be had for such fur-
ther consideration of the case as justice
and law may require. In granting this re-
quest the Executive is aiding and not
obstructing the administration of the law,
and he, therefore, will direct a respite un-
til Friday, the 10th day of February,
1905."

"A. J. MONTAGUE,
Governor."

Above is the result of the strenuous
efforts made to save former Mayor C. J.
Samuel M'Cue, of Charlottesville, from
hanging on Friday next, the Governor
having yielded to the request of M'Cue's
counsel and the Court of Appeals for a
respite and granted one until Friday, Feb-
ruary 10th.

The day was largely given up in State
official circles to Governor M'Cue, who
J. Tinsley Coleman and John L. Lee, of
Lynchburg, and Walter and Sinclair, of
Charlottesville, counsel for the condem-
ned man, having early in the morning pre-
sented an amended petition to the Court
of Appeals for a respite of the death sen-
tence, and made several visits to the Governor
during a respite.

Mr. Coleman made the formal presenta-
tion of the papers to the court, and he
was accompanied by the gentlemen named
above, and Mr. Daniel Harmon, of Char-
lottesville, vice-counsel for M'Cue, and the
office and informed His Excellency that
later on in the day they would ask him
for a respite, pending the decision of the
court.

Carefully Considered.

They made another visit about 2 o'clock
and outlined their reasons to the Gov-
ernor, and about 4:30 called on His Ex-
cellency at the Mansion. This final con-
ference was held in the presence of the
Governor, and the trial court, and the
trial ground was given over, the Gov-
ernor giving the closest attention to all
that was said.

During the day Governor Montague
had Judge Keith, president of the Su-
preme Court, in conference, and it is
believed that he will give the case the
careful consideration which it deserves,
and that a respite should be granted.
It is further understood on good au-
thority that in the afternoon the Gov-
ernor was requested by Commonwealth's
Attorney Frank Gilmer, the Mayor of
Charlottesville and many others of that
city to grant a respite in order that the
condemned man might prepare to meet
his fate.

The ordeal was a trying one for the
Governor, but he met it with that calm-
ness of deliberation which characterizes
all his official acts, weighing carefully
every question involved in either side.

Letters and Petitions.

The Governor received a petition from
Norfolk, signed by about one hundred
and sixty persons, asking for executive
action in the case, but no ground for the
appeal was given.

Numerous letters came to the executive
department yesterday on the same line,
some asking a respite and others a com-
mutation of the sentence to life imprisonment.
One letter, which was signed by M'Cue's
wife, but that she was opposed to
capital punishment. She earnestly
asked that the sentence be commuted to
life imprisonment. Another letter came
from Albemarle county, saying that the
writer, a lady, thought the ends of jus-
tice would be fully met by a life imprison-
ment.

One gentleman went so far as to ask
the Governor over the phone to act at
once and commute the sentence to life
imprisonment, but His Excellency com-
municated with himself, and learning what
he conceived to be his duty, he did it
promptly and courageously.

The Petition.

The amended petition presented by
Mr. Coleman to the Supreme Court yes-
terday, which goes into the case in great
detail, is as follows:

To the Honorable Judges of the Supreme Court
of Appeals of Virginia:

Your petitioner, J. Samuel M'Cue, humbly
and respectfully submits to this supplemental
petition for a writ of error and a respite
to the judgment of the Corporation Court
of the city of Charlottesville, pronounced on
the 9th day of November, 1904, my relay pe-
tition was condemned to be hanged on January 20,
1905; or, if by reason of the refusal of peti-
tioner's original petition by this honorable
court on, to wit, the 14th day of January,
1905, a supplemental petition be inappropriate
in the premises, then petitioner asks that this
be regarded and treated as a petition to re-
hear the judgment of this court entered on
the 14th day and date last aforesaid, refusing the
said writ.

The particular matter which petitioner de-
sires now to present to the consideration of
the court is, that the errors assigned by him
in his original petition are of such character
as to entitle him at least to a hearing by this
honorable court, albeit from such examination
and reconsideration as the honorable members
of the court may have been able to give peti-
tioner's case in the short time of a single
month, they will be able to form the opinion that
the judgment complained of is right.

Petitioner humbly submits that the right

45 WANT HELP TO-DAY.

The 45 advertisements for help pub-
lished in to-day's Times-Dispatch on
page 8 are as follows:

2 Trades. 26 Domestic.
5 Professional. 4 Salesmen.
1 Office. 7 Miscellaneous.

This not only interests those out of
work, but those desiring to improve
their positions as well.

(Continued on Third Page.)